A

MEMOIR

OF

WILLIAM RAWLE, LL. D.

President of the Historical Society, &c.

BY T. I. WHARTON, ESQ.

Read at a meeting of the Council, held on the 22d day of February, 1837.

WITH A LETTER FROM

PETER STEPHEN DU PONCEAU, ESQ.

To the Author, containing his recollections of Mr. Rawle's life and character.

Philadelphia.

1840.

The following Memoir was prepared at the request of the Council of the Historical Society, and was read at a meeting held on the 22d day of February, 1837.

I am abundantly sensible of its deficiencies and defects both in substance and manner, and have only to state, in apology, that it was hastily prepared in the scanty intervals of leisure, which the cares and duties of my profession allowed. I should hesitate much about allowing it to go to the press, if it were not for the circumstance of its having been the means of awakening the delightful recollections of my venerable friend, Mr. Du Ponceau, which he has favoured me with, and which I am authorized to give to the public in company with my own memoir.

T. I. W.

A

MEMOIR

OF

WILLIAM RAWLE, LL. D.

The ancestors of William Rawle came from the county of Cornwall in England.*

A manuscript found among his papers contains some account of his progenitors, and some recollections of his own times, which he appears to have written in the year 1824, at the suggestion of Mr. Watson, the author of the Annals of Philadelphia; but, unfortunately, the design was soon abandoned, and a few pages of detached memoranda alone remain. From this and other sources the facts contained in the following memoir have been derived.

Francis Rawle, the first of the race who came to America, arrived at Philadelphia in the ship Desire, from Plymouth, on the 23rd of June, 1686, accompanied by his son Francis, and bringing with him five "servants," (so called in a document of the time,) who, I presume, were agricultural labourers. He died on the 23rd of December, 1697.

Of his only son Francis, the second, I find the following account in the M.S., of which I have spoken. "He was a man of education, though I believe of moderate property,

* See Appendix A.

He married the daughter of Robert Turner, a wealthy linen draper from Dublin, who took up the whole lot from Second Street to the Delaware, between Arch Street and M'Comb's Alley. He resided on this lot, and I have seen an old draught of it; in the centre of which, was the figure of a house, with this description, 'Robert Turner's large House.' Probably in these days his mansion would not be so described. William Penn had that confidence in Robert Turner, that he sent him from England a blank commission for the office of Register General for the probate of Wills, &c., with power, if he did not choose to exercise the office himself, to fill the blank with any other name he pleased. The original letter from William Penn, is somewhere among my papers. Robert Turner accepted the office, and appointed his son-in-law his deputy. Francis Rawle published a book which, as far as I know, was the first original treatise on any general subject that appeared in this province. Religious and political controversy had before this time, alone appeared from the press. The title of this work, (I have unfortunately lost the book itself,) was, I believe, "Ways and means for the inhabitants on the Delaware to become rich." One day at Dr. Franklin's table at *Passy*, he asked me if I had a copy of the work; observing that it was the first *book* that he had ever printed.* The greatness of Franklin's mind did not disdain to refer to his early occupations, in the presence of some men of the first rank of that country with whom his table was crowded."

To this account of Francis Rawle it may be added, that he was elected a member of assembly for the city of Philadelphia, in the years 1707, 1708 and 1710, and again in 1724, 1725 and 1726. It appears from the journals, that he took an active part in the business of the house, and was frequently at the head of the most important committees. He

*See Appendix B.

died on the 5th of January 1727. I have before me a letter from Thomas Chalkley, an eminent minister among the Society of Friends, addressed to his son William Rawle, dated "Frankfort $\frac{e}{y}$ 6th of the 1st mo. 1726," in answer to a letter communicating the information of his father's death, in which he bears the strongest testimony to the worth of his friend, in the expressive simplicity of the good old English. "The loss of so good and valuable a neighbour," he writes, "causes our hearts to affect our eyes. I never was in his company but I learned something instructing of him, and was always the better for it. So that I lament my single loss of him as well as the general one. The Almighty Lord sanctify such a great loss to your family (I humbly pray) and bless you his children."

Martha, the wife of Francis Rawle, survived him eighteen years; dying on the 18th day of July, 1745. They had a numerous family, of whom six sons and four daughters survived her.

William, the third son of Francis and Martha Rawle, was the grand-father of our late President. He married on the 29th of August, 1728, Margaret, daughter of Henry Hodge of Philadelphia, merchant, who died shortly after the birth of their only child. He was a man of parts and education. His library was extensive for those days, especially in classical literature. Many of his Greek and Latin books were in the possession of his grandson. He died on the 16th of December, 1741.

Francis, the only child of William Rawle, was born on the 10th of July, 1729. He received a liberal education, possessed a robust and active mind, and is said to have been a person of very attractive manners and conversation. He was a contributor to a literary Journal of the time, as I gather from some MSS. in my possession. I have also a

considerable number of Letters written by him in a very easy and agreeable manner. In the the year 1755 he sailed from Philadelphia for Europe, and arrived at Cork after a short but rough passage. I have before me his MS. account of the voyage, and of his tour in Ireland; all that has been preserved I believe of his travels; from which I make the following extract, as a specimen of his style, and on account of the evidence it furnishes of the near resemblance of Ireland in 1756 to its present condition.

"There seem to be but two degrees of people in this country —the gentry and slaves. These rent small pieces of land of the former, and pay high rents for them; from twenty shillings, to sixty shillings per acre a year. On these they build themselves miserable cottages or cabins of dirt and straw, to strengthen or cement them better, without any chimney or fire-place; a door of withes or Wickerwork serving them for a chimney, window, and door. To build better houses were they able, they have no encouragement; for perhaps, if they make any considerable improvement, they are directly turned off for the sake of a higher rent, brought about by their industry and good management. Their cabins are equally free to them and their fellow creatures the cattle, hogs, sheep, goats, and poultry; of which, indeed, each house has very few to its share. They walk in and out in as familiar a manner as their masters, and seem to be no more regarded while there than if they were the natural occupants," &c.

Shortly after his return home, Francis Rawle was married to Rebecca, daughter of Edward Warner.

In the summer of 1757, he attended the celebrated conference held at Easton with the Indians; at the head of whom was Tedyuscung. I have several of his letters to his wife written during his absence, narrating the events of

the conference, and furnishing some interesting and amusing descriptions. The following is from a letter dated, "Easton, July 26th, 1757."

"There are now here about two hundred and seventy or two hundred and eighty Indians; upwards of one hundred of whom are men, the rest women, with abundance of young *cubs*, who seem already to share a good deal of that ferocity which they may one day express in a greater degree under the tutoring and excellent example of their glorious fathers, if we do not conclude a lasting peace with them. These last appear dressed, painted, and set off to the best advantage; not to procure admiration, but to strike terror; and their appearance only seems sufficient to frighten faint hearted folks when they come in a hostile way. They have, however, behaved themselves tolerably well, and seem to stand in awe of Tedyuschung, though he sets them but an indifferent example sometimes. Last night his majesty was seen staggering along the street with two of his nobility, one of whom was forced to be supported by another of the company who had not drank so deep; but this does not happen often." Some days afterwards he wrote,—"Since my last we have had one more conference, wherein the Governor assured the Indians of his good disposition towards promoting a peace, and gave a suitable answer respecting the wounded Indian, and concluded with telling them he was ready to hear their complaints; upon which they appointed this day to speak. But last night has thrown back the business sadly; his majesty with all his counsellors, warriors &c., having got so drunk as to make a great disturbance, and not retiring to rest till broad day; it is feared they have disqualified themselves for negotiation. To prevent the like evil for the future, the commissioners have this morning ordered the landlord not to let his majesty have any more liquor, not even his usual allowance, until the bu-

siness is concluded, in order that it may be the sooner over, and that the Indians may not hereafter complain of one making them drunk first, and then bringing them to our own terms, by taking that advantage of them." "Yesterday the Indian interpreter, and one high in Tedyuschung's esteem, being a little in liquor, declared publicly, that the Indians would demand a tract of land on the frontiers large enough to maintain them, which they would settle upon, and improve in the manner of the white people, and which they would have made sure to them and their posterity for ever, on which they choose to have a free school, a minister, and a truck house, kept by an honest man who would not impose upon them; and this land required, I suppose, is what they think themselves cheated of," &c.

Francis Rawle died at the early age of 32, on the 7th of June, 1761, in consequence of a wound received from the accidental discharge of his fowling piece, while shooting on his grounds near the city. He was carried into his own house; and a surgical operation having been performed, he appeared to have a fair prospect of recovery, but a lock jaw took place and he died after a week's confinement.

William Rawle his only son, the subject of this Memoir, was born on the 28th of April, 1759. He was, therefore, little more than two years old at the time of his father's death. On a manuscript in his father's hand-writing, I find the following endorsement by him; "I believe that the within was the composition of my revered father. It never was my lot *risu cognoscere patrem.* I was too young to recognize him by any thing."

He was left however, under the care of a mother, who with an intellect of no common strength and cultivation possessed every virtue that befits and adorns a christian woman; and whose tenderness and solicitude for her offspring, swelled beyond the ordinary stream of maternal

love. Subjected to early and continued trials and adversities; deprived of husband and children; exiled during the war of the revolution, and plundered of property; this excellent woman displayed a fortitude and energy of character, which contrasted remarkably with her serene and gentle disposition. She survived to an advanced life; but the progress of years and infirmities made no impression on her warm and kindly heart. Her attachment to her children and their descendants, was repaid by all that affection and duty could offer. In her son, William Rawle, she found ample solace for her cares and calamities. A more affectionate and devoted son never existed. His letters to her during all periods of his life, and his private diaries give constant proofs how deeply the sentiment of filial love was implanted in his heart, and remind one of those better days, in which reverence for parents was felt to be a duty next to that which belongs to the great Father of all.

In the MS. to which I have referred, Mr. Rawle thus speaks of an occurrence which happened when he was about the age of six years.

"The alarm of the '*Pextang Boys*' is distinctly within my recollection. The watchmen knocked violently at every door. 'The Pextang Boys are coming,' was vociferated through the street; almost every body rose, dressed themselves and waited anxiously till daylight. Whether just before or after this alarm is not recollected; but a number of these infuriated people had advanced as far as Germantown. The Governor sent up some of his council to treat with them, and endeavour to pacify them. The late Mr. Chew, who was one of the number, informed me that several gentlemen of the Society of Friends went up at the same time, though without any official authority. They met the principals of the Pextang people in a large room at a tavern. The younger part of them were about the door, and in the street

in front of the house in considerable numbers. Their conduct was violent and outrageous; and their manners so terrified the landlord that he came into the room, and besought the Philadelphia gentlemen, when they were about returning, to depart in a private manner through the back yard; with which the elderly part of the rioters advised them to comply. 'We all adopted this advice,' said Mr. Chew, 'but William Fisher, who in a decided voice ordered his horse to be brought to the front door, mounted him with deliberation, and rode slowly away without any personal insult.' 'This determined gentleman,' adds Mr. Rawle, 'was the father of James C. Fisher, Esq., of this city."'

At the period of the commencement of hostilities between Great Britain and her colonies, Mr. Rawle was about the age of seventeen years, and, I presume, was yet a student at the Friends' Academy in Fourth Street, where he received his collegiate education. His immediate relations and connexions were all adherents of the royal government. His step-father Mr. Shoemaker, one of the old school of gentlemen, a man of extensive reading and cultivated taste, held the office of mayor of Philadelphia during the period that it was under the control of the British army. When it was resolved to evacuate this city, it became necessary for Mr. Shoemaker to retire to New York. In conformity with the wishes of his mother, and from his own personal attachment to Mr. Shoemaker, whom he always regarded with filial affection and respect, Mr. Rawle accompanied him to New York in the month of June 1778. They were under the necessity of proceeding by water; and he mentions in a letter now before me, that they were two days and nights on board of a small sloop on their way to Reedy Island, where they found the fleet lying, and *thirteen* days on the passage from Philadelphia to the *capes!* This, which was extraor-

dinary even in those days, it may be supposed he found sufficiently irksome. "Never," said he, in the letter alluded to, and which was addressed to one of his sisters, "did I listen with more attention to worn out metaphors and proverbs than now. I presently caught myself comparing our situation to that of a bird in a cage, a person chained in a dungeon, mouse-trap, matrimony, and a hundred other ancient sayings that I now felt the propriety of. In this delay we passed away the time in reading, writing, and sailing about the fleet to see our friends—friends, alas! only by similarity of misfortune."

In New York Mr. Rawle commenced the study of the law, under the direction of Mr. Kempe, who, I believe had held the office of attorney general, and of whom he thus speaks in one of his letters. "I have begun to read law with Mr. Kempe—a man whom I admire more and more every day. Understanding, learning, generosity, sensibility and courage, distinguish him. He is the tenderest of brothers, the most affectionate husband and father. As a lawyer, distinguished equally for skill and integrity; as a gentleman, remarkable for his politeness; as a friend, beloved for his sincerity; and my heartiest wish for my own peculiar interest is that I may become like him." If the description of the teacher was accurate, certainly the wish of the pupil was realized; for the portrait here drawn might in all its features be taken for one of Mr. Rawle.

New York, however, in its then condition, did not afford sufficient opportunities and inducements for the study of a peaceful science; "There is something," he says, in another letter, "in the air of a military government extremely disagreeable to those who have experienced another; though, perhaps, this is one of the best administered. It makes people in civil life feel interrupted in business, and cramped in pleasures. In short, with all its advantages of strict sub-

ordination and sudden obedience, none but those who are paid for liking it, can cheerfully endure it." .... "In the profession which I have chosen, it is impossible to obtain even a slender knowledge of essentials in the situation of things here. This every body agrees to; and the reason is, the military government which prevails; in consequence of which the still small voice of the law is seldom heard and never attended to."

Under these circumstances, and being precluded from returning to his native city at that time, by the political outlawry of his parents, Mr. Rawle determined to visit England, and pursue the study of the common law at its ancient fountain, "The pursuit of pleasure," he remarked, in the letter from which the last extract was taken, "is the farthest thing from my thoughts in going to England. But the pursuit of knowledge I am ardent in. Two or three years study in the Temple, will qualify me for the bar; and if at the expiration of that time, things should not be settled in America, (which, however, is an improbable thought,) I can then by engaging a little in practice, prevent myself from forgetting what I have already acquired, and perhaps obtain a moderate income during the time I should stay. This it would be impossible to do here, where I can neither learn, nor derive advantage from what I have learned." Having obtained the consent of his mother, he embarked on the 13th of June 1781, on board one of the vessels of a numerous British fleet, destined in the first instance to Ireland, and arrived at Cork on the 18th of July, after a short and agreeable passage. From Cork he proceeded to Dublin, over the same road that had been travelled by his father 25 years before. A narrative of his voyage and tour in Ireland written for his mother, is in my possession. The commencement exhibits a prevailing feature of his character, to which I have already adverted. "I have endeavoured," he begins, "to recollect a few cir-

cumstances of my journey from Cork to Dublin last summer, in order to obey a request of my mother's, though I am afraid she will meet with little satisfaction in them, farther than that they were written by one who thinks his highest praise to be the title of an affectionate son." The journal fills a volume of a hundred and twenty-five pages, written in an easy colloquial style which is often more agreeable than elaborated composition; and contains good descriptions of external nature, and well told anecdotes of the people. I should be glad to make some extracts from it, did I not fear that this memoir would be enlarged beyond the usual dimensions.

Mr. Rawle arrived in London in August 1781, and immediately entered himself a student in the Middle Temple; to which he was recommended by Mr. Eden, who had been in America, as one of the commissioners in the abortive attempt to bring about a settlement of the dispute between the two countries. I have before me the certificate which he received on his admission to the Temple, and which runs thus.

"Die 17 Augusti, 1781.

Mar. *Gulielmus Rawle* ffilius unitus *ffrancisci Rawle* nuper de civitate Philadelphiæ in America mercatoris, defuncti, admissus est in societatem Medij Templi Londini, specialiter.

	£	s	d
Et dat pro ffine	4	0	0
Pro ffeodo & impressionibus	6	14	6
£	10	14	6

John Manley, Tr.

Cop. exam.
J. Horsfall Sub. Thes."

It appears from this document that the initiation fees into the society, in those days, were equal to about $50 of our money. I find also that his "rooms" cost him £30 sterling per annum.

It is to be regretted that Mr. Rawle's journals of his residence and studies in England, have not been preserved. Judging from what I have read of his letters and narratives on other occasions, I have no doubt that they contained a great deal of what would be read now with pleasure and advantage. From his letter to his mother and sisters written during that period, I may be allowed to make a few extracts, illustrative of his pursuits and opinions, or interesting from the persons to whom they relate.

"Mankind in England," he says in one letter, "differs very little from mankind in America,—a few external circumstances may indeed, give a different colour and appearance to their actions for a while; but familiarized to those circumstances, we discover that the same passions and motives universally influence in the same manner.—London is indeed, a vast collection of people; but these people are much like those I have left behind,—virtue is honoured and vice despised, much the same in both countries; and whatever satirists may say to the contrary, I am convinced that the world ever applauds virtue as it deserves. In defence of herself, vice throws out a variety of allurements which make but a faint and transient impression—so soon as we recollect that they are but the allurements of vice: contrary to Pope's lines on the subject, I am of opinion that they are the most forcible at first sight, and that it is only in consequence of contemplating them seriously, that we discover and abhor their internal deformity.—In that pursuit of happiness to which the mind is naturally disposed, a very little reflection will induce us to leave vice behind, and to follow the footsteps of virtue, from whom alone we may expect those "lasting hours of waking bliss" that durable felicity

with which she always rewards her votaries, and without any common placing on the subject, I am so seriously convinced of this argument, that I should always lament the first step to vice as the first step to misery."

"I was very early gratified," he says in another letter, "with the sight of the king, which most strangers are desirous of. He is tall and well made; and were it not for his white eye-brows and gray eyes, would be a very handsome man. He talked and laughed incessantly during the whole play with some of the lords in waiting; contemplated every part of the house with his opera glass, and behaved more like a young man of abundant gaiety, than what I had always conceived to be a style of royalty. The queen, who is by no means handsome, but much resembles the picture Governor Franklin had of her at Burlington, was received at entering the house with the loudest applause; she paid her respects both in coming in, and going out, with great affability, and behaved during the whole time with a modest dignity, truly attractive. The Prince of Wales resembles neither his father nor mother; he has dark hair and eyes, and looks something like Lord Cathcart: though a very large man he is exceedingly graceful and genteel, and appeared infinitely more serious than his father. The play was such as one would suppose, none but a depraved taste would have thought of, and a vitiated age received. The beggars opera was performed in reversed characters. The women acting the men's parts, and the men the women's; yet the royal family appeared perfectly pleased with it; and it has been performed eighteen times with infinite applause. When the Parliament meets, and the courts of justice are opened, I expect to have full employment for myself. At present having few people to visit, and unwilling to exhaust at once that great fund of entertainment London affords, which, if properly managed, would prove a banquet for a

year; I sit a good deal at home particularly of mornings. I am engaged in reperusing Hume's History of England, which Mr. Dunning warmly recommended as a preliminary study to which the utmost attention should be paid."

"The Londoners," he says in another passage, "are so accustomed to speak of their favorite city in panegyric strains, that I fancy to confirm their observation, one must be very willing to be astonished. I must confess that on my arrival, the town fell far short of my expectations: whether it was that the descriptions I had heard had been too highly exaggerated, or that passing through Dublin, which resembles it so nearly, had prepared my mind for populous and magnificent cities, it struck me with very little surprize. But a farther acquaintance has opened a number of matters I was a stranger to; and the more I see, the more wonder is excited. The difference of ranks from the highest affluence and luxury, descending through a variety of degrees to the lowest poverty and distress, is every where visible. It is productive of that envy and desire which prompts those who are below to ascend, and occasions an imitation of manners sometimes awkward, and an emulation in expense often ruinous. It is impossible for me to say how low this desire of rivaling their superiors descends; but I suppose each different gradation looks up to the one immediately above, and treats those below it with indifference and contempt. I have been sorry to see those I thought superior to prejudices of this sort, indirectly aiming at a sanction for their sentiments, or claiming an approbation for their manner and way of living, from their particular intimacy with such, and such persons of high birth and fortune. I hardly know a circle of acquaintance which has not some Apollo of this kind, who is quoted as a pattern, or alleged as an authority for every thing that is done. As if a middle station was more ignorant of the pleasures and refinements of life than

a higher one, or society rendered happier by being hourly reminded of its inferiority. The equality of ranks is what will always render America an agreeable residence; but an Englishman boasts of that equality, which, with a strange capriciousness he never enjoys: while he proudly reports that he knows no superior but the law, he humbly adopts the manners of those who have no other claim to superiority than the feeble advantages of birth and fortune. Yet why should I be so earnest in seeking out their faults, when there is so much to praise in their virtues? They are sincere, generous, benevolent and brave; they are liberal in their charities, and warm in their friendship; if they are slow in forming intimacies, they are more constant to them when formed; if they are not so indiscriminately hospitable as in Ireland, it is, perhaps, because they pay a proper regard to their own satisfaction in the admission of their guests. In Ireland, it is sufficient to be a stranger, to be hospitably entertained: in London when strangers, that character procures relief to the distressed; but a man is laughed at, who supposes nothing else necessary for him to be taken notice of. Among the list of their virtues, may be reckoned industry and sobriety; at least, if the last is not to be reckoned among one of the virtues, it secures the practice of them all. A general goodness of heart pervades even the lowest ranks of people: and I have been surprised to see when an accident happened in the streets, what numbers were collected immediately to afford assistance. I think myself obliged to testify, that the roughness and brutality attributed to the common people, as far as I have seen, have been as much exaggerated as the other accounts of the country; and though I have been three months in London, and spent a good deal of time in the streets, I have not seen more instances of it, than the same time would have furnished me with in Phil-

adelphia. It is true, I have not been in St. Giles nor Billingsgate."

"At present," he says in another letter, "there is an absolute dearth of political publications; and no one thing worth sending out has been published since I have been here: perhaps the meeting of Parliament may produce something. The long vacation is at length over, and Westminster Hall was yesterday opened in the usual form. I had the first opportunity of gratifying myself with the sight of Lord Mansfield. It is very common to form ideas of persons figures from their characters, and equally common to be disappointed: my expectation of majestic dignity, dwindled away at the sight of a decrepit man of seventy-eight, with no other expression in his face than good-nature, hobbling with difficulty under the weight of a trailing gown. But after he was seated on the bench, when he came to deliver his sentiments on an argument between those two celebrated orators, Dunning and Erskine, a fire and animation took place in his countenance, that did full justice to the genius and judgment he displayed in his speech. I have absented myself from the Hall to-day on account of writing letters, but I shall return there to-morrow. On Friday the Lord Mayor engrosses all the business, to see whose procession, and spend the day I have two invitations."

He did not form a very high opinion of the eloquence of parliament. "I must confess," he says in another letter, "that I have heard nearly as much eloquence and oratory in a sixpenny place called Coachmakers' Hall, as ever I did within the walls of St. Stephens: so true it is that eloquence is not to be purchased by wealth, nor obtained by mere study."

Mr. Rawle's residence in England was shorter than he

contemplated, when he left New York. The war in America was drawing to a close, and he saw the necessity and propriety of returning to Philadelphia, as his place of residence and the scene of his future professional employment. In a letter to his mother, dated on New-year's day, 1782, he thus expresses his views.

"When I see the numerous Americans that are to be found in this city; many of them once lords of thousands, now torturing themselves to subsist upon the scanty stipends allowed them in compensation for the loss of their estates, I must confess it fills me with compassion. Hitherto I have in some measure, escaped the general wreck of fortunes, that so many have undergone. At least something, though small, remains secure; and I think myself obliged to risk it no longer, and not to involve myself in that want, which would throw me into an unwilling and burdensome dependence on my father-in-law, for whose virtues I have too much regard to wish to add to his sufferings. I doubt not, you will approve of my intention of returning to Philadelphia, and submitting to that authority which is there established. Though the step may be in some degree humiliating, yet I have nothing to fear, as I have nothing to charge myself with. I have in no one instance taken a decisive part on either side; unless that voyage to New York, which was the effect of filial duty should be urged as a crime."

"It is true that this is the most eligible place for every kind of improvement; but it is a melancholy farce to improve myself for situations I should never attain to,—for even if I should be obliged to give up the thoughts of returning to America, I should never expect to rise in this country,—the many hundreds of competitors that are to be met with in almost every line, render it almost impossible for a stranger to succeed,—and in the law particularly they are too numerous to leave a shadow of hope, to one so unknown and unsupported

as I should be. Besides which, the country itself is not by any means as agreeable to me as America once was, and probably will be again, when the present turbulence has subsided. The disparity of ranks is here so great and the destructive emulation of appearance and expense in the middle line so prevailing, that a fortune of £500 currency, a year, is in fact, more valuable in America than treble that sum sterling in England: I mean with respect to the weight and influence it would give, and the happiness and content it would afford. To return to my former situation at New York, and continue to waste my youth in absolute uselessness and inactivity, would be folly in the extreme."

He was advised by Mr. Eden to apply to the British Government for a pension, as a compensation for the loss of his paternal property which had been confiscated; and he was assured by many other friends that his application would be successful; but he declined at once, and positively, to allow any step to be taken for the purpose. "Besides," he said, "that the measure would tie me down in a manner that I do not approve of, I do not think myself entitled by any thing I have done, to ask for, and receive that allowance from the Government, which ought only to be extended to the loyalist, who has sacrificed his fortune in support of his Sovereign, and who is therefore entitled on the plainest principles of reason to a recompense for it."

Mr. Rawle left England in pursuance of his intention to return to America by way of France, and arrived at Ostend on the 26th of April, 1782, whence he proceeded to Paris. Here he stayed eight days only, "a time," he says with truth, "infinitely too short to gratify curiosity in a place so abundantly supplied with every thing wonderful in art; but I had the pleasure of meeting or making many friends. Dr. Franklin and his grandson are in perfect health: they live at an elegant villa three miles from Paris, and are

exceedingly caressed, and visited by people of fashion. Temple Franklin is a very sensible and accomplished young man," &c. I have before me the passport granted to him by Dr. Franklin, dated the 8th of May, 1782, and subscribed in his well known hand.

Mr. Rawle's journals and letters, written in France, are equally entertaining and agreeable, with those relating to Ireland and England. Besides an easy and attractive style of writing, he possessed a remarkable talent for drawing, which enabled him to illustrate his journals with sketches of scenery and figures, very naturally delineated. He was detained at Ostend and Boulogne a much longer time than he expected, principally in consequence of the difficulty of obtaining a passage in a suitable vessel. He finally left France on the 20th of November, and arrived in Philadelphia on the 17th of January, 1783; having been absent from his native place four years and a half.

Immediately upon his return, he resumed the study of the law, and was admitted to practice in the Court of Common Pleas, for the City and County of Philadelphia, on the 15th day of September, 1783.

On the 13th of November following, he was married to Sarah Coates Burge, a lady whose virtues and accomplishments gladdened nearly forty years of his life; and whom he had the misfortune to survive.

Mr. Rawle's professional career was not distinguished by early success. Like many others, who have reached the loftiest eminence at the bar, he found the first steps of the journey beset with difficulties and surrounded with discouragements. His progress was slow, and sometimes almost imperceptible, and he has told me more than once, that such were the obstacles he met with, and so strong his fears of being unable to derive enough from his profession to support his family, that he had determined at one time to

abandon it, and retire into the country to an agricultural life, to which he was always warmly attached. He was induced to persevere however; and by employing his hours of leisure, which were numerous, in study, and by careful attention to, as well as attendance upon the practice of the Courts, he was enabled to lay that solid foundation, without which, all professional success must be insecure and ephemeral. It was not, however, until ten tedious years had gone by, that he felt himself rooted in his position, and assured of success.

He was not slow, however, in acquiring the confidence and regard of his fellow citizens. On the 25th of July, 1786, he was elected a member of the American Philosophical Society; and at the general election in October, 1789, he was chosen a member of the assembly for the City of Philadelphia. This was his first and last appearance on the stage of political life. Although repeatedly urged at subsequent periods to accept of public appointments, and to take part in political operations, he uniformly and steadily declined. Neither his tastes, nor his views of duty, led him into the arena of party warfare. Content with the distinctions of professional life, and holding with the great masters of his science, that there can be no divided worship, he was willing to leave to others whose leisure or temperament adapted them to it, the anxious struggle for party triumphs. Not that his opinions were doubtful or unsettled, or that he looked with indifference upon public questions. The circumstances by which Mr. Rawle's early life and character were influenced, or coloured, have already been adverted to. A deep and abiding sense of filial duty, estranged him for a time, from the government of his native country; but when he was enabled consistently with that (to him) paramount sentiment, to return and take his place as a member of the new community, he became with sincerity and earn-

estness, in heart as well as in fact, a republican citizen. He gave in his adhesion (to use a modern phrase) to the existing government, from a sincere opinion of its superiority over those founded upon the monarchical principle; an opinion derived from a thorough and careful examination of the subject, as the writings which he has left behind him exhibit. In the introduction to his view of the Constitution of the United States, he remarks that "the history of man does not present a more illustrious monument of human invention, sound political principles, and judicious combinations, than the Constitution of the United States." To the principles of that class of public men, by whom this admirable instrument was mainly established, and under whose government it was administered for twelve years, he was firmly though not blindly attached. Holding generally the same doctrines, though not approving, as I have reason to believe, of some of the later measures of their political life, he declined the character and pursuits of a party-man. The only public office which he ever held, was that of Attorney of the United States, for the District of Pennsylvania, which was conferred upon him without solicitation, and voluntarily resigned by him. The commission, dated the 18th day of July, 1791, and signed with the venerated name of him who never conferred an office from an unworthy motive, is now before me. The appointment was made on that day to supply a vacancy, and was confirmed by the Senate on the 7th of November following. He resigned the office on the 6th of May, 1800, in the admistration of Mr. John Adams. During the period in which Mr. Rawle held the post of District Attorney, the Commonwealth of Pennsylvania was disgraced by two insurrections against the authority of the General Government; both of them as vulgar and sordid in their motives, as they were weak and disjointed in their operations. By direction of the President,

he accompanied the District Judge, and the military on the Western Expedition in 1794; and it became his duty to prosecute the offenders after the insurrections in that year, and in 1798, had been put down. In one instance, (the case of *Fries*,) the prisoner was capitally convicted: a new trial was granted on account of some informality in the proceedings: he was again convicted and sentenced to death, but afterwards pardoned. Mr. Rawle was also called upon to prosecute for other political offences. In the performance of these painful duties, I believe that he lost none of the respect of his fellow citizens of any political denomination. Firm in the execution of his office, he was, as I have had reason to know from his papers, far from making any unbecoming sacrifice of opinion to those from whom he derived it; and his deportment to those against, whom he was required to appear, was always characterized by mildness and forbearance.

In the M.S. to which I have before referred, there are some recollections of the latter part of the 18th century, which may not be improperly introduced here.

"Anthony Benezet honoured me with his friendship: he sometimes brought his MSS. to read them to me. One day he jocosely observed, 'Moliere had his old woman to whom he used to read his works; and thou, though a young man, shall be my old woman.' He was treated with great respect by his countrymen here. I once had some business to do with the French minister, the Chevalier de la Luzerne, and Anthony Benezet was good enough to accompany me to his house. The minister was a man of much state in his manners, but I was delighted to see how kindly and respectfully he received the good Benezet. He made him sit down in his own seat, and took a plain one by his side. '*Vous êtes le pere de tous*,' he said, as he pressed him into

his splendid arm-chair. Benezet was not a taciturn man: his conversation was always tinctured by philanthropy of the highest order. The situation of the negro race was, as may be supposed, his most frequent theme. His person was small, his countenance plain; but in conversation much animated. He commonly wore a suit of cotton velvet of a dark olive colour."

"Dr. Franklin towards the close of his life, formed a society to meet at his house once a week. Its appellation was 'The Society for Political Inquiries'—but general politics only were intended to be the subject of discussion—General Washington was one of the members; Robert Morris, Gouverneur Morris, Dr. Rush, George Clymer, Mr. Bingham, Mr. Wilson, Mr. Bradford, Robert Hare (an accomplished classical scholar,) and others to the number of 42 belonged to it. Thomas Paine (not then a wretched apostate,) was also a member. Questions for consideration were sometimes proposed at a previous meeting—sometimes suggested on the same evening,—chiefly by our venerable president. There was no formality of discussion. Dr. Rush, who had great powers of conversation, commonly took the lead. Gouverneur Morris was intelligent, sarcastic and abrupt. Dr. Franklin though very attentive, said but little after the subject was broached. Paine never opened his mouth; but he furnished one of the few essays which the members of the society were expected to produce. It was a well written dissertation on the inexpediency of incorporating towns. We used to assemble in the Doctor's library, at the house he then inhabited, standing back from Market Street, between 3d and 4th streets. It has since been taken down, and a street now passes over its site. His collection of books was extensive, principally however, in the French and English languages. They were not in general, expensively bound. The outside of a book was evidently not re-

garded by him. The society terminated at his decease. Its minutes are now in my possession, and are intended to be deposited in the Philadelphia Library."

Although resolved from the outset to devote himself to his profession and to allow no other employment to disturb his attention to it, a determination to which he strictly adhered during his continuance at the bar, Mr. Rawle yet readily lent his services and means to purposes of public good, and was always ready to unite in all reasonable schemes for the advancement of science, letters and taste. He was a member of most of the public institutions of his time, and to some contributed a valuable aid. I have already mentioned that he became a member of the American Philosophical Society, three years after his return from Europe. In 1789, he became a contributor to the Pennsylvania Hospital; and in 1791, a member of the society for the establishment and support of Sunday Schools; and in the following year he joined the society, instituted (according to its title,) "for the purpose of promoting the abolition of slavery, for the relief of free negroes unlawfully held in bondage, and for improving the condition of the African race," of which society he was chosen president in the year 1818, on the death of Dr. Wistar. It is proper here to remark, that Mr. Rawle's opinions and views on the subject of the abolition of Negro Slavery, ought by no means, to be confounded with those wild and absurd schemes which are prevalent in some quarters at this time, and furnish another evidence of the exaggerated philanthropy and extreme tendencies of the present age. He had too much of that old English endowment, called '*Common* sense,' but which every day seems to render less common, to suppose that emancipation was likely to be brought about by denunciation and abuse, or that it

can ever be effected with safety to either race, except by the gradual progress of opinion in the communities in which it exists; and he knew too well the character and value of the constitutional provisions on the subject of slave labour, to countenance any interference with the established rights of the masters. In his view of the Constitution of the United States, he treats in the same paragraph of the separate provisions in that instrument for the restoration of fugitives from justice and fugitives from service. "The states," he adds, "are considered as a common family, whose harmony would be endangered, if they were to protect and detain such fugitives, when demanded in one case by the executive authority of the state, or pursued in the other by the persons claiming an interest in their service."

In 1795, Mr. Rawle was elected one of the Trustees of the University of Pennsylvania; an office which he held until his death, and to the duties of which he applied himself during the period of forty years, with zeal and punctuality.

In the year 1805, he became a member of the Agricultural Society, and of the Humane Society; and took an active part in the establishment of the Academy of the Fine Arts; at the opening of which Institution, two years afterwards, at the request of the directors, he delivered a public address, in which he earnestly vindicated the claims of painting and sculpture, to the encouragement and support of a republican community.

In 1807, he was elected an honorary member of the Linnæan Society of Philadelphia, an association which I believe is not now in existence.

In 1819, at the request of the officers of the Philadelphia Society for promoting Agriculture, he delivered the annual public address before that body. In this discourse which was published by order of the Society, he discussed the

subject of emigration to this country, in reference principally, to its effects upon agriculture, and thence to the general interests of the community; and indicated some of the duties of the government towards emigrants, and of the latter towards the community into which they are received.

In 1822, Mr. Rawle was chosen a director of the Library Company of Philadelphia, an office which he had held some years previously; but he resigned the situation again, after only a few months continuance in it.

In the same year, on the decease of the venerable Jared Ingersoll, Mr. Rawle was unanimously chosen to succeed him in the office of Chancellor of the Society of Associated Members of the Bar. Shortly after his appointment, he delivered an address before the society, which was published at their request. In this discourse he reviewed the early Constitution and Laws of Pennsylvania, particularly "the Great Law," as it was called; treated of the equity jurisprudence of Pennsylvania, and the method of administering it; and suggested the expediency of granting additional powers to the courts to do justice, according to the mode of proceeding in chancery. "It is time," he concludes, "to reduce the uncertain corruscations of Pennsylvania equity, to the safe and steady light of Chancery. Some may, perhaps, dread the danger of innovation on a practice, which has continued for near a century and a half. Others may think that error can receive no sanction from time, and that while the genius of our countrymen, has, at least since the commencement of the revolution, been so active in almost every sort of political reformation, we ought not to decline the performance of a duty because of its toil, nor the improvement of a system on account of its antiquity."

At the next annual meeting of the society, he delivered a second discourse, which also has been published. The sub-

jects of this address are the character of the bar and the method of practice. After adverting to the general complaint of the laws' delay, he inquires into "the influence of our peculiar modes of practice, on the promotion of professional knowledge, the formation of professional character, and the progress of forensic proceedings." The difference between the subdivision of labour in England and the universality of our practice is, in course, adverted to. "With us," he says, "the term *lawyer* means a *genus* not a *species*. Liable to be called on in every branch of business connected with the profession, it is necessary that the American lawyer should be qualified for all: he is not merely a chancery lawyer, nor a civilian, nor a special pleader, nor a nisi prius lawyer. He forms a living, and a daily refutation of the opinion, that the science is too comprehensive to be all undertaken by one man."

He then proceeds to give some interesting recollections of the worthies of the olden time,—of Mr. Chew, Mr. Wilson, Mr. Sergeant, Mr. Lewis, Mr. Ingersoll, Mr. Edward Biddle and Mr. George Ross; and discusses the question of the cause of the slow progress made in our judicial proceedings. "I incline to think," he says, "that it is to be found in the length, or rather, the manner of our speeches. On the trial of issues in fact, the examination of witnesses does not generally consume more time with us than in England. Indeed their cross-examinations are commonly more dilated than ours. But speeches of the great length to which we are accustomed, are there unknown. An hour is deemed a large space of time for an address to a jury. The same moderation is carried into the discussion of arguments in banc. Nine eminent counsel were engaged in the celebrated case of *Lindo* against *Rodney*, which I had the pleasure of hearing. It occupied but two mornings. With us it would probably have employed as many weeks. The great cause of delay

with us is the introduction of books, reading entire cases and discussing every case that is read; a practice entirely unknown there." Then on the question how may this evil, which certainly has not diminished since the date of his discourse, be corrected;—he tells us that in Athens the duration of a speech was regulated by the *clepsudra*, (or hour-glass) under the direction of the court, and that from some of the epistles of Pliny it may be inferred, that after the reign of the emperors commenced, the Athenian practice was occasionally adopted at Rome. He concludes, however, that such a power could not safely be lodged in the bench here, consistently with our ideas of "Virtue, Liberty, and Independence," and that after all, the best hour-glass is public opinion.

About the period of these addresses, Mr. Rawle was twice offered by Governor Hiester the situation of Presiding Judge of the District Court of the city and county of Philadelphia. In both instances he respectfully declined the office. Not that he was averse to a judicial station, for which his intellect, acquirements, and temperament, well adapted him; but at that time, I believe, his practice yielded him considerably more than the compensation allowed to a judge by our ingenious system; and he considered himself under an obligation of duty, to persevere in the toilsome and arduous occupation from which he had hoped long before to have been permitted to retire. Domestic circumstances, however, into which it is not requisite for me to enter, made it necessary for him to continue his professional labours, far beyond the period at which they are usually suspended, and prevented his acceptance of an office, which there is every reason to think, he would have filled in a manner worthy of its importance and dignity.

In 1825, Mr. Rawle published his "View of the Constitution of the United States." This is a plain practical and

intelligent description, and explanation of the theory and operation of our political system. The introduction contains an historical account of the Colonial Governments of the several states, and of the federative system under which these states were nominally held together, for general purposes previously to the year 1787. The author then proceeds to consider the several branches of the government of the United States, legislative, executive, and judicial; specifying the several provisions of the constitution in regard to each; explaining their import and bearing; and applying to them the various decisions that have taken place in the Supreme Court and other tribunals. Mr. Rawle's general views on political subjects, led him to concur in the construction which has been given to the powers of the Federal Government, by the Supreme Court; but he has not adopted those opinions blindly, and in some instances has expressed his dissent from the judgments of that court. The volume concludes with a chapter on the blessings and benefits of the union, and of that invaluable constitution by which those blessings and benefits are secured, and it is to be hoped perpetuated: and the author finishes his work with a quotation from the farewell address of that illustrious man, "whose character," he remarks, "stamps inestimable value on all that he has uttered, and whose exhortations on this subject, springing from the purest patriotism, and the soundest wisdom, ought never to be forgotten or neglected."

The opinion entertained by the public of the value of this treatise, is shown by the circumstance of its having gone through three editions, and having been adopted as a text book of instruction in several of our literary institutions.

In the month of June, of the same year, (1825,) the Historical Society was established. Mr. Rawle took an active part in its formation, and was unanimously chosen presi-

dent; an office which he held, with I am sure, the equally unanimous respect and affection of the members, until his death. On the 5th of November following his election, he delivered an inaugural discourse before the members of the Society, which forms the first article of the transactions, and serves as a suitable introduction to the many valuable communications which have been published.

In this discourse, after explaining the objects of the society, and the method in which they proposed to accomplish them, Mr. Rawle, as an illustration of the importance of historical inquiries, reviewed certain theories on the subject of the origin of the Indians of this Continent, and discussed the question of the right of the European race to dispossess them, with great force of argument, and with his characteristic kindliness of disposition and christian temper. In conclusion, he expressed a hope, that the Historical Society, would not like too many others, be characterized by "vivacity of inception, apathy of progress, and premature decay." "The treasury of literature," he adds, "is grateful for the widow's mite. Let all contribute what they can, and they will contribute what they ought: let no opportunity be lost in throwing into the common stock, not only what may be collected of times that are past, but whatever may be of interest in relation to time that is present."

Mr. Rawle did not confine himself to a preliminary effort. He took an active part in the business of the institution, and a warm interest in its success; and he punctually attended the meetings of the council until disabled by bodily infirmity.

In February, 1826, he made a communication to the society, touching the valedictory address of President Washington; which was referred to a committee, consisting of himself, Mr. Morgan, and Mr. Ingersoll. Those gentlemen,

it is known addressed letters to several distinguished friends of Washington, who yet survived; and obtained from them information exceedingly interesting in a literary point of view; but far more important from the conclusive proof it afforded, that the farewell address was throughout written by the venerable patriot, whose signature is affixed to it. About the same time, Mr. Rawle communicated to the society, a "Vindication of the Rev. Mr. Heckewelder's History of the Indian Nations." He also furnished a "Biographical Sketch of Sir William Keith," one of the Governors of the Province of Pennsylvania; though his name is not given to this article: and "A sketch of the Life of Thomas Mifflin," the first Governor of Pennsylvania after the revolution. These, I believe, are all his contributions to the stock of the society; and they certainly, prove not merely his regard to his duties as a member, but the activity of his mind, and the variety of his knowledge.

The opinion entertained by a distinguished literary institution of his learning and worth, was manifested by the degree of LL. D., conferred upon him in September, 1827, by the College of New Jersey. The distinction is believed, to have been entirely spontaneous on their part, and was certainly unexpected by him.

In the year 1830, Mr. Rawle was appointed by Governor Wolf, one of the three commissioners, whose duty it was to "to revise, collate, and digest all such public acts and statutes of the civil code of this State, and all such British statutes in force in this State as are general, and permanent in their nature," and to consider, and report, what alteration and improvements were required therein. Mr. Rawle was the first named in the commission, and his appointment was universally approved. He brought to the important and difficult task, which at the age of seventy, he thus undertook, an ample stock of legal and general know-

ledge, great personal experience of the operation and practice of the laws, and withal an activity of mind, and earnestness of purpose, which are seldom displayed at that time of life. During the four years of employment under this commission, his colleagues found him always ready for business, always prepared with his quota of work, always prompt in communicating his abundant knowledge, and equally disposed to receive the suggestions of others, and remarkably free from prejudice or tenacity of opinion; and they have the satisfaction of reflecting, that although in the course of their arduous labours they occasionally differed from him in views of subordinate matters; yet, that in all important questions, their conclusions were as unanimous as their intercourse was harmonious.

Mr. Rawle joined in all the reports made by the commissioners to the Legislature, excepting the last; which was prepared and transmitted in March 1836, a few weeks only before his decease.

In the year 1830, Mr. Rawle presided at a town meeting held in consequence of the then recent revolution in France, and was placed at the head of a committee appointed to convey the resolutions adopted by the meeting, to General La Fayette. I have before me a copy of the letter, in the hand writing of Mr. Rawle, addressed to General La Fayette, and the original of the answer in the hand writing of that eminent person.

In 1831, Mr. Rawle received an unexpected and gratifying evidence of the affection and respect, with which he was regarded by his professional associates. At a meeting of the members of the Bar of Philadelphia, held on the 20th of December, it was unanimously resolved, that they were "desirous to express their respect and regard for their venerable associate, and to preserve a likeness of one who has contributed to

do honour to his profession;" and they accordingly solicited him to sit for his portrait, to be painted at their expense, and to be placed in the room of the Law Library. The request was complied with: a very striking likeness was produced by Mr. Inman, and now occupies its destined position along side of the portrait of Chief Justice Marshall, painted at the request of the same bar, and not far from that of his old friend William Lewis; whose very striking portrait painted by Stewart, was within a few years, found among the lumber of an auctioneer's store-room, and presented to the Bar by Mr. Head.

Shortly after this, Mr. Rawle delivered by request, an address before the Law Academy. The subjects which he chose were the importance of adequate preparation of knowledge for the study of the law; which he explained and enforced with great earnestness and emphasis. In concluding this discourse, he paid a merited tribute to the eminent and distinguished individual who presides over the Philosophical Society, and who now so worthily fills the situation which he at that time held, of President of this Society. "It is almost half a century," he said, "since the commencement of an acquaintance, and the formation of a friendship with your learned and amiable Provost, who after fighting the battles of his adopted country, immediately turned his attention to the study of her laws. Neither the variety of his literary pursuits and accomplishments, nor the pressure of age, have interrupted the countinuance of his devotion to this exact and interesting science. May you, my young friends, imitate his example. May you all be convinced, that those who unlike him, relinquish the improvement of the mind before its faculties have failed, will find in the torpor of age neither dignity nor happiness."

In 1831, at the request of the Philosophical Society, Mr. Rawle prepared a short biographical account of his early

friend, Zaccheus Collins, who had died a short time previously. This memoir was, I believe, the last of his merely literary compositions. His time during this, and the two succeeding years, was mainly employed in the revision of the laws; and he had little leisure, if he had the desire, to appear again as an author.

His constitution too began to give way. For sixty years he enjoyed almost uninterrupted health. About ten years before his death, he was attacked by a distressing complaint, which required all the skill of his eminent physicians to subdue; and to prevent the recurrence of which, he was kept under a rigid and particular diet; abstaining almost altogether from vegetable food.

During the year 1835, his bodily infirmities increased rapidly, and he was seldom able to leave his house; but his mental vigor and activity were unabated. He read a great deal; and few men have found greater enjoyment in books, or more fully verified and realized Cicero's description of them. Literature was in truth the delight and ornament of his youth, the relaxation of his manhood, and the solace and comfort of his declining years. He was, during a great part of his life, unfortunately subject to inflammation of his eyes, which disabled him from reading at times, and especially at night; but he was never without those, who were happy to be the means of imparting gratification to him, and whose filial piety, doubtless finds in the recollections of duty well performed, some alleviation of the loss they have experienced.

After a confinement of severals weeks to his sofa, or bed, during which the decay of nature was gradually taking place, not unaccompanied with painful and distressing ailments, which he endured with great fortitude and composure, our venerable friend and associate departed this life on the 12th day of April, 1836.

In the preceding pages I have endeavoured to comply with the request of the society, by submitting to them a memoir of the life of their deceased President. I have not written his Eulogy. Neither their wishes, nor my disposition tend that way. The language of overstrained praise, would be unsuitable to the simplicity of his character.

It is proper, however, before closing this paper, that I should mention some of the principal features of a character, which, in childhood, I learned to regard with a respect and affection, which the almost daily intercourse of after life in no wise lessened.

Mr. Rawle was an accomplished jurist, a good scholar, and a person of great taste and great general acquirements. His reading in early life had been extensive; and he brought to his professional studies a discriminating and healthy mind, which enabled him to make the best use of what he read. His learning was not confined to the Jurisprudence of England and America, but extended much deeper into that of the ancient and modern law of the continent of Europe than was usual in the last century. His professional business for the twenty years between about 1793 and 1813, was very great, and his income large. His name appears in most of the important causes of that period, and his arguments always commanded the attention and respect of the court. His address to a jury was simple in diction, always free from unnecessary ornament, but earnest and impressive. I have already said that his deportment was conciliating to his adversaries; and I believe that it may be said with truth, that he never made an enemy at the bar.

His classical knowledge was more extensive and accu-

rate than that of most men in this country, not scholars by profession. He read a great deal, and to a late period of his life, in the Roman authors. Many of his editions belonged to his grand-father, William Rawle. With the Greek writers, he was not so familiar; though he made the Greek Testament a frequent study. He was fond of poetry; and at one period of his life, wrote a great deal of it and very agreeably; but, I believe, few of his verses are left. I have mentioned in another place, that he drew and painted well. I have seen sketches of his, that would do credit to artists of reputation.

These, however, were the mere ornaments or externals of a character, the fabric or substance of which was great moral worth, founded upon and sustained by religion. Mr. Rawle was at all periods of his life a devout man. He had thought, read, and written, much on the subject of religion. I have perused many MS. volumes, written by him on the evidences, doctrines, and working of our Christian faith; and have found reason to admire the extent of his research, the wisdom of his remarks, and the gentle and Catholic spirit by which they were dictated. He was a sincere believer in the fundamental doctrines of the Christian religion. He admired its beautiful morality, and was deeply sensible of its adaptation to the wants of society. In the latest years of his life, religion occupied a large portion of his thoughts. As the shadows of evening gathered round him, he seemed desirous to close the shutters upon all mere human speculation, and enlightened and warmed by the faith of the Gospel, to commune with his own heart, and prepare himself for the great event that was drawing nigh. This is not the time for the publication of any of his devotional writings or speculative opinions. Hereafter possibly they may see the light. I will only add, that by birth, a member of the Society of Friends, Mr. Rawle never ceased to entertain the

highest respect for that excellent body, and generally attended their place of worship when his health permitted, although he differed from them in some points of opinion, respecting language and attire. Mr. Rawle's religion as I have intimated, was not an abstract or inanimate speculation. It governed and influenced his whole life. It controlled and tempered him during many years of prosperity, and sustained and comforted him in later days of distress, and misfortune.

With qualities of mind and heart, such as I have mentioned, Mr. Rawle passed a life of seventy-six years, without stain or reproach. Popularity, perhaps, in the prevailing acceptation of the word, he did not seek to possess. That "habitation giddy and unsure" which in the words of the poet, he hath "who buildeth on the vulgar heart," it was not his ambition to possess. He sought and acquired that enduring reputation which is founded on the good opinion of the wise and virtuous of this world; and may we not hope that at the close of that venerable life

"the ETERNAL MASTER found
The talents lent him well employed."

APPENDIX.

A.

In Lyson's Magna Britannia, vol. iii., p. 113, I find the following account of the family of Rawle among other gentry resident in Cornwall.

"Rawle, of Hennet in St. Julliot, settled at that place as early as the reign of Edward IV. Their representative, and the present proprietor, William Rawle, Esq., resides at Liskeard," and afterwards—

"The manor of Tresparret in this parish (St. Julliot) belongs to Wm. Rawle, Esq., in whose family it has been for many generations. Mr. Rawle has also the manor of Tremorell, or Tremorvell, which belonged to the baronial family of Bottreaux. Hennet, formerly a seat of the Rawles, is now a farm house," &c. —p. 152.

"The manor of Tregartha, which had been purchased of the Eriseys, by Trelawney, before the year 1620, is now the property of Francis Rawle, Esq."—p. 224.

In *Besse's* account of the sufferings of the Quakers, vol. i., p. 163; is a list of persons confined in the High Jail of Devonshire, for opposition to the established Church, and supporting the tenets of the Quakers: among whom were *Francis Rawle*, and *Francis Rawle, Jr.* This was in 1685.

I am indebted to Joshua Francis Fisher, Esq., for these extracts.

B.

This Book or rather pamphlet, remarkable as the first original essay, published in Pennsylvania, and the first work printed by FRANKLIN, is in the valuable collection called, the Loganian Library; and I suppose, that this is the only copy extant. The title is as follows: "Ways and Means for the Inhabitants of Delaware to become rich: wherein the several growths and products of these countries are demonstrated to be a sufficient fund for a flourishing trade. Humbly submitted to the Legislative authority of these Colonies. Nemo seipsum natus est. Printed and sold by S. Keimer in Philadelphia. MDCCXXV." (65 pages, 12mo.)

From the introduction it appears, that the trade and commerce of the provinces on the Delaware, were at the time at a very low ebb; the low price of grain, and the want of a suitable currency,—gold and silver being the only circulating medium, and that almost totally exhausted; having involved the community in difficulties and embarrassments. The author avers that he was "sorrowfully affected" when he considered that the province, "which was settled with a sober, religious, and industrious people, who were of no mean circumstances in their native country, should be so soon reduced to so low a condition." And "I cannot doubt," he adds, "but every honest man finds a secret joy in contributing any thing to the happiness of his country, either in respect of wealth, good laws or liberty, as knowing he is not born for himself." He then proceeds to consider what "the true riches of a country consist in," and argues first, "negatively," that they do not arise from

1. Extent of country or soil.
2. Population simply.
3. Fertility of soil, and consequently,
4. Abundance of country produce.
5. Nor in paper money.

He proceeds to sustain this position, by examples from the history of Spain, and other nations; and then undertakes to show that "the riches of any country may be said to consist in an even ba-

lance in its favour, in all trade it is engaged in, with the several countries it trades withal."

This theory is developed in a discussion of some length, in which the trade with Europe and the West Indies is considered; and the author proceeds to show how the balance of trade may be brought in favour of the province, which he thinks is to be effected by a proper encouragement of the products of the province, by manufacturing and exporting them. The various productions of the province are enumerated, and remarked upon.

1. *Wheat*—Which he says, is "the chief staple of our trade," and which, he thinks, ought to be manufactured into flour before it is exported, on account of the employment it thereby gives to industry, and the higher value of the article. To increase the cultivation of wheat, he proposed that a bounty of*
per bushel, be paid for all the wheat which shall be exported to the Continent of Europe. "The bounty to be raised by a land tax, or a duty on rum, or as the Honourable Assembly may think fit." He adds a caution, however, "that it be not given to any New England vessels trading here; for we not being so well situated for trade, lying so far up a river, they will fetch in wheat, manufacture it, and send it to the West Indies, continue the glut of that market, and under sell us, which will frustrate the good end hereby intended."

2. *Barley*—The cultivation of which, he thinks, will have the additional advantage of superceding the use of distilled spirits or foreign liquors.

3. *Oats.*

4. "*Tobacco* has been formerly planted in this colony, and considerable quantities made; but the price of late years have been so low, the planting has been discontinued, to the loss of the planter; and greater disadvantage of the merchant, by want of that commodity to make return to Britain."

5. "*Hemp* is another artificial product of this river, the raising whereof ought to be encouraged by a bounty." He recommends the culture of Hemp, for the purpose of supplying the British Navy

* Blank in the original.

with cordage, and urges a bounty, from the low price of the labour of the Serfs of Russia, with which our American labour would come in competition.

6. *Flax*—Which he thinks ought to be raised and manufactured, so as to supercede the India calicoes.

7. "*Paper*—Another manufacture, is what we are fallen into of late years, and in time may be improved equal to Dutch or French paper."

8. *Linseed Oil.*

9. *Distillery* is "another art or mystery we are capable of," though he considers the abuse of it as "very prejudicial to human nature."

10. "*Rice* is another species of grain this country is capable of; which grows and thrives very well here on new land, with no other tillage than what Barley requires, and is sown after the same manner; which is easier and with less tending than in Carolina."

He then mentions other products of Pennsylvania, which are spontaneously produced, viz.:

1. *Timber.*

2. *Copper*—"Which," he says, "we have a doubtful prospect of."

3. *Iron*—"Of which," he says, "from experiments made we have great plenty, and very good both for shipwork and husbandry." He quotes a passage from "the judicious Locke," respecting the value of Iron, and suggests the expediency of building ships for the English, and supplying them with naval stores.

4. "*Limestone* we have in great plenty, also *Slate* and *Marble.*"

5. *Isinglass*—"Which may suit for window lights," &c.

"Here is also *Cotton Stone*, of which Handkerchiefs, Gloves or Purses may be knit, and when foul are cleansed in the fire; which like gold it endures without any change."

The author then returns to the subject of Paper Money, which he argues to be necessary to supply the want of cash, of which the course of trade had drained the province. He argues, however, that due care ought to be taken to preserve the value of the paper

currency, by restricting the amount of the issues. The rise of exchange, which he says, has been erroneously attributed to the paper currency, was really occasioned by "the exceeding scarcity of gold." He adds, that he has omitted *Horses* among the products of the province, that ought be exported, and suggests the improvement of the breed: proposes the establishment of an Insurance Office, to insure Merchants against Maritime Losses, which he says, is the practice in England: suggests that it be established by the Legislature, and supported by a fund arising out of the interest of the Loan Office; and concludes with a summary of his suggestions, recommending that the articles of export be "well saved, well packed, sound, and merchantable:" "this," he adds, "will tend to their honour and interest."

Philadelphia, 3d June, 1837.

THOMAS I. WHARTON, ESQ.

My Dear Sir,

I sit down with pleasure to comply with your request, by committing to writing my recollections of our lamented friend, William Rawle, during an acquaintance of more than fifty years. Unfortunately, I cannot add much to what you have related in your interesting Biographical Notice, presented to the Historical Society of Pennsylvania, which is to be published in the forthcoming volume of their Memoirs. During the greatest part, I may say, almost the whole time of our acquaintance, Mr. Rawle and I were engaged in a laborious profession, which affords little leisure for social intercourse; and though our literary tastes were in most things similar, such was the nature and urgency of our daily occupations, that we were seldom allowed to indulge our inclination, to wander into more flowery paths; for the law, as you well know is a jealous mistress, and requires undivided attentions from her votaries. The life of a lawyer in the full practice of his profession, offers very little but the dull and dismal round of attendance upon courts, hard studies at night, and in the day fatiguing exertions, which however brilliant, are confined to a narrow theatre, and leave nothing behind but a blaze of reputation,

and the echo of a name. Had Mr. Rawle had leisure to pursue the scientific labours, which he so successfully began, in his view of the Constitution of the United States; a full length picture of his mind would have been found in the various works, which his genius and immense fund of knowledge enabled him to produce. An author's life, it is said, is found in his works; but where is the life of an eminent lawyer or physician, whose days and nights have been devoted to the exercise of their professions. The names of Lewis and of Kuhn, are dear to their contemporaries; but the next generation will probably forget them! It will not be so, however, with William Rawle; though he has left little behind him, that little is of such sterling weight, and value, as will transmit his name with honour to posterity.

You will now easily understand, why I can add but little to the stock of information which you have collected, of the life of our excellent friend. A few occasional anecdotes, are all that I can contribute, as they occur to my memory. After the first pangs of separation, such recollections are pleasing to the mind. I dwell upon them with pleasure, while I commit them to paper, and leave it to you to make such use of them as you will think proper.

Mr. Rawle could not boast of an *Anglo-Saxon* descent. His origin must be traced to the conquerors of the Anglo-Saxons,—the Normans. His name is evidently (with a little variation in the orthography,) the same as that of *Raoul*, the first Duke of Normandy, who in the year 912, obtained the sovereignty of that province from Charles the Simple, King of France, who also gave him his daughter Giselle, in marriage. He was an ancestor to William the Conqueror. The monkish annalists, in their bad Latin, called him *Rollo*, but it is an ascertained fact, that his name was *Raoul*, which afterwards became very common in France, particularly in Normandy, whence it passed over into England,

where the English *w* was substituted for the French diphthong *ou*. This etymology was often talked over between Mr. Rawle and me; he freely admitted it, and though a Quaker, did not seem displeased to bear the same name as the conqueror.

My acquaintance with Mr. Rawle began in the year 1784, when I was studying law under William Lewis; at that time, the most celebrated lawyer in Philadelphia, and perhaps, in the United States. Lewis was the son of a plain farmer in Chester County, who sent him twice a week with his truck to the market in this city, which he carried in a little cart with one horse. The Courts of Justice then sat in the Court house, lately pulled down, at the intersection of Market and Second Streets. After disposing of his vegetable store, the lad hitched his horse to a post, and went into the court house to hear the lawyers plead. After attending there for some time, during repeated visits, he was at once struck with the idea, that he also could speak, if he had only the requisite knowledge. Nature had endowed him with a clear discriminating mind, a retentive memory, a powerful vocal organ, and an admirable fluency of speech. Nature had designed him for the legal profession. He felt the impulse; it was irresistable. Like Corregio, he exclaimed, *Son pittore anch'io;* "I, also am an orator, and why should not I be a lawyer as well as those whom I hear prattling around me?" Full of this idea, he went to his father, and told him he was determined to study the law, and adopt it as his profession. His father laughed at him; and well he might, for his education had not extended farther than reading, writing, and common arithmatic. He was not, however, discouraged: he did not give his father a moment's rest, until he put him apprentice to George Ross, then the most eminent lawyer in this city; under whom his progress

was rapid. A few years after his admission, he was found at the head of the legal profession.

I was studying then, under this able master, when I first became acquainted with Mr. Rawle. I had gone through Blackstone's Commentaries, and Wood's Institutes, and was advised to enter upon the study of *Coke upon Littleton*. I wanted to have a copy of the work all to myself, to read it at my ease; but it was not easy to be procured. After many fruitless applications, I bethought myself of putting an advertisement in the newspapers, in which I offered to give a set of Valin's Commentary on the French Marine Ordinances, in exchange for the book I so much desired to have. To my great astonishment and delight, I received a note from Mr. Rawle, (then unknown to me,) accepting of the offer. I went immediately to his house, where the bargain was concluded, and an acquaintance began between us, which afterwards ripened into friendship.

I took home the longed for volume, and immediately entered upon its study. I had then no time to lose, for I had also to perform the duties of my office of Notary public and sworn Interpreter of foreign languages, to which I had been appointed, by the Executive Council, in the preceding year. It is not to be wondered at, therefore, if there was at that period no communication between Mr. Rawle and myself, while I was so actively and incessantly engaged. At last, at June Term 1785, my good master, Mr. Lewis, who had followed my progress, and had always been ready to assist me with his lessons and his advice, which I found of immense use and advantage to me, after a long and strict examination, thought he might venture to move for my admission as an attorney of the Court of Common Pleas, for the city and county of Philadelphia. Mr. Rawle and Mr. Sergeant, (the father of our distinguished fellow citizen,) were appointed my examiners.

I met them with a trembling heart. The examination was begun by Mr. Rawle. To my utter astonishment and dismay, he proceeded to examine me on the civil and maritime law, and on the *jus postliminii*. I learned afterwards, that he did so out of kindness to me. I had exchanged with him, Valin's Commentaries for Coke upon Littleton. He thought I must be more familiar with the former books than with the latter; but it was quite the reverse. Mr. Sergeant relieved me by asking me questions out of the books that I had studied. Mr. Rawle fell in, and pursued the same course; after which I had the satisfaction to be distinguished with a

Benè, benè respondere,
Dignus, dignus es entrare
In nostro docto corpore.

On the favourable report of these Gentlemen, I was admitted. From that moment, Mr. Rawle showed me marks of particular friendship. I visited him frequently, and was always kindly received. I was in a manner domesticated in his family. For some time we engaged together in the study of the German Language, of which, I had gained some slight knowledge in the family of Baron Steuben. We did not pursue it long together: the interruptions of business did not permit it. However, I know that he continued afterwards the study of that language; but to what exten het acquired it, I cannot exactly tell. I remember that one day we were sitting together in the court room, at a meeting of the bar, for what was called *Settling the Dockets.**

* I do not believe that there is a gentleman at our bar, myself excepted, who knows the meaning of the expression, *Settling the Docket;* as it has long since fallen into disuse. The lawyers used to meet at the beginning of every term at the Prothonotary's Office, or in the Court Room, where all the actions on that docket were successively called over by the Clerk, and were put at issue, marked for trial, or continued. Rules to declare, or plead were taken, pleas and replications were given, and judgments confessed; and

In the intervals of business, the lawyers would converse with each other; and a great deal of mirth and good humour generally prevailed. On that occasion, the conversation turned upon ignorant judges, who were not a rarity at that time; when the President of the Court of Common Pleas, was an honest Justice of the Peace, who kept a little shop some where in Chesnut Street, and knew no more of law, then he did of Greek. Many hackneyed stories, well known among the profession, were related upon the subject. While this was going on, I wrote on a small slip of paper the following German Epigram, which I had read some where, and handed it across the table to Mr. Rawle.

Mein Sohn! weist du was,
Bist ein advokat;
Mein Sohn! weist du nichts,
Bist ein Geheïmer Roth.

Mr. Rawle immediately wrote, and sent to me the following poetical translation.

Our Tom is a wit, at the bar he will drudge;
Our Will is a fool, and we'll make him a judge,

This shows that he was not unacquainted with the language of Schiller and Goethe.

Among the marks of friendship which I received from Mr. Rawle at that period, I shall never forget that he was the first who took me in as assistant counsel in a cause of some importance. It was a Quaker cause, of a mercantile

causes were marked for trial, or argument. All this was done *vivâ voce*, and short entries were made by the Prothonotary, from which the lists of trials and arguments were made out at each term. The dockets of the Supreme Court, and of the Common Pleas, were settled in the same manner. I am told that the practice is still followed in some of the County towns of this State.

character. More I do not recollect, except the name of our client, which is here of no consequence. To me, a stranger in the land without connexions, and at the beginning of his career it was rendering a great and an essential service. It was also a mark of confidence, for which I felt grateful ever after; and I often took occasion to remind Mr. Rawle of it, and express to him again and again the sentiment of gratitude, with which it had inspired me. I am happy in this opportunity of recording it.

It was not, however, that I wanted business. My notary's office kept me much employed. On looking at my docket for September Term, 1785, the first after my admission, I find I was then concerned in twenty-one suits, either for plaintiff or defendant. It was a pretty good beginning. Indeed, I had begun to practice since the year, 1783, in the name of a young attorney, called William Murray, Jr., who soon after I was admitted, left this for the western country, where he died. Thus I became acquainted with the forms of proceeding. But I was not the less obliged to Mr. Rawle, for distinguishing me as he did; which gave me a standing at the bar, which I could not have expected for many years to come. I am happy in this opportunity to pay a grateful tribute to his memory.

I was not the only young man whom Mr. Rawle thus patronized; for benevolence was a strong trait in his character. I particularly remember a foreigner whom he generously took by the hand, and by his recommendations, introduced into business in the line that he professed, and who afterwards repaid him with the blackest ingratitude. I forbear saying more upon this subject. I must not disturb the ashes of the dead. The ungrateful man gradually lost by his conduct the esteem which Mr. Rawle's friendship, and some talents that he possessed, had obtained for him. He left this country, and went to England where he died.

There are, probably, persons yet living who will know to whom I allude.

I married in the year 1788, and from that time, I began to lead a very retired life, attending only to the duties of my profession. My intercourse, therefore, with Mr. Rawle, was not so frequent as it used to be. We met in courts of justice; in a friendly, but not so intimate a manner as heretofore. In the same year the Federal Constitution was promulgated. We took different sides. I regret to say, that I belonged to what was called the anti-federal party. I thought I was right: subsequent events have proved that I was in the wrong. The French revolution followed; and parties became still more exasperated. Under the administration of the elder Adams, Mr. Rawle was made District Attorney. This brought us still more in opposition to each other; for in the great political causes, and in the prize causes, which at that time were so numerous, we were almost always engaged on opposite sides. Notwithstanding all this, I can say with truth, that our mutual esteem never suffered any diminution. We met as antagonists, but always parted as friends. In all our forensic debates, and they were numerous, I do not remember a single harsh expression, or even a word that could inflict a wound on one or the other of the combatants. Mr. Rawle was sometimes satirical: he never suffered an unguarded expression of mine to escape, without some good stroke of wit, that was any thing but amusing to me; but it was always done in such a delicate good humoured way, that it was impossible for me to take offence; and I well remember that once when I had in an address to a jury, fairly laid myself open to his shafts, I begged of him to spare me in his reply, which he was kind enough to promise, and kept his word.

In the beginning of the present century, during the reign of the embargo, non-intercourse, and other restrictive mea-

sures, produced by the British orders in Council, and the Berlin and Milan decrees, a great number of causes were carried up from this city to the Supreme Court of the United States. The counsel engaged in those causes, were in the habit of going together to Washington, to argue their cases before that tribunal. These were Mr. Ingersoll, Mr. Dallas, Mr. Lewis, Mr. Edward Tilghman, Mr. Rawle and myself, who am, alas! the only survivor of that joyous band. We hired a stage to ourselves, in which we proceeded by easy journies. The court sat then, as it does at present, or did until lately, in the month of February; so that we had to travel in the depth of winter, through bad roads, in the midst of rain, hail and snow, in no very comfortable way. Nevertheless, as soon as we were out of the city, and felt the flush of air, we were like school boys on the play ground on a holiday; and we began to kill time by all the means that our imagination could suggest. Flashes of wit shot their corruscations on all sides; puns of the genuine Philadelphia stamp were handed about; old college stories were revived; macaronic Latin was spoken with great purity; songs were sung, even classical songs, among which I recollect the famous Bacchanalian of the arch-deacon of Oxford, "*Mihi est propositum in tabernâ mori;*" in short, we might have been taken for any thing but the grave counsellors of the celebrated bar of Philadelphia.

The Emperor Napoleon was right, when he told the great actor Talma, that he did not know how to act the part of kings, when conversing with their confidential friends. "You make us speak," says he, "as if we were in a public audience in the full display of majesty. You should, on the contrary, make us speak exactly like other men; when in the bosom of our families, and with our intimate friends, we take off with great pleasure, the mask that we have been obliged to wear in public; and freed from that troublesome

constraint, we sometimes say and do more foolish things, than those who are always at liberty to do as they please." So did the Philadelphia lawyers, when they had left the bar and the judges many miles behind them. Mr. Rawle was not so excited as some of us were: he was always mild and placid, but his strokes of wit produced the greater effect, as they came from him naturally and without study or pretensions. Mr. Ingersoll sat serious and composed, thinking of his causes, and little inclined to mirth. I sometimes thought of addressing him with *Cur in theatrum, Cato severe venisti?* I shall always remember with pleasure, those delightful journies, in which we all became intimately acquainted with each other; for on such occasions, when free scope is given to the imagination, men appear in their true characters, and no art can prevent them from showing themselves as they really are.

Our appearance at the bar of the Supreme Court was always a scene of triumph. We entered the Hall together, and Judge Washington was heard to say "This is *my* bar." Our causes had a preference over all others, in consideration of the distance we had to travel. The greatest liberality was shown to us, by the members of the profession, who usually attended that court. It was really a proud thing at that time, to be a *Philadelphia lawyer.*

We returned home, of course, in the same manner that we had proceeded to the capitol. We occasionally met with accidents in going or returning, but none that is worth relating, except the one that I am about to mention. It was in the year 1808. I had argued against Mr. Rawle, the cause of M'Ilvaine *v.* Coxe (4 Cranch, 209.) The main question in this case was, whether a native of New Jersey, who had left this country shortly after the Declaration of Independence, and had ever since resided abroad and always adhered to his first allegiance, was to be considered

as a citizen or an alien. I contended that he was born a British subject, and remained such through life. On the other side, it was argued that the revolution was a *new birth*, and that on Independence being declared, he was made a citizen *against his will*. On this I observed, that I had never heard of a surgical operation, by which the subject was extracted from the womb, with the revolutionary *forceps*. This produced much mirth on the bench and at the bar, as did the strokes of keen wit which Mr. Rawle, who was a counsel on the other side, shot at me in reply. On the whole, however, I lost my cause; and the obstetrical operation was decreed to have been *secundum artem*.

This little incident would not be worth relating, if it were not for the comico-serious accident that it produced. The cause that I have mentioned, being the last we had to argue, we immediately afterwards set out on our return home. The argument of that cause was yet fresh upon our minds, and became the subject of conversation, on our way to Baltimore. We were all in very high spirits; and the *forceps* was found a very good subject for raillery. Mr. Rawle had said something about a poker, which hit the fancy of our colleagues, and which I cannot now remember. When the spirits are high, any thing will do to found a jest upon. So that the poker and the forceps became the common topics of our conversation. Every one cracked his joke upon one or the other. Fingers were pointed at us, in imitation of those instruments. To such a degree was our mirth carried, that our Irish driver, listening to us, did not perceive a stump that was before him: the carriage made a terrible jolt, our Phaeton was thrown from his seat, the horses took fright, and ran away with us at a dreadful rate. A river or creek was before us, and the bridge was not very safe. It was determined to jump out of the carriage. I was pressed to show the example, but I did not choose to do it,

intending to take my own course. I have heard it related, that at that moment, I took a pinch of snuff very leisurely; but that I do not remember, and I very much doubt the truth of the fact. Be that as it may, all except myself, jumped out of the carriage. Being then left alone, I collected all my presence of mind, looked about me, chose my position, and jumped out so fortunately, that I fell upon my feet without the least injury. Turning back to look behind me, the first thing I saw was my friend Lewis, sprawling upon the ground, and not able to rise alone. I raised him on his feet, and presently came our companions, who all complained of being more or less bruised. The driver alone, by a kind of miracle, had suffered nothing from his fall. We all determined to walk to Baltimore as well as we could: there was, indeed, nothing else for us to do; when to our great comfort, we saw our stage returning, under safe guidance. The horses had been stopped in their mad career, and an honest countryman was bringing them back to us, with the vehicle. We joyfully resumed our places; and on our arrival at Baltimore at the Fountain Inn, a surgeon was immediately sent for, who bled all my companions. Feeling perfectly well, I did not choose to submit to the operation. We spent the afternoon at Baltimore, and the next day resumed our route towards Philadelphia. We had a narrow escape. I am now left alone on the stage of life, which they were doomed also to leave before me. I hope I shall meet them safe again in a better place.

In the year 1815, was received the joyful news of the peace with Great Britain. Until that period, a colonial spirit had prevailed throughout this country, that had checked all efforts at literary enterprize. The successful issue of the war raised our spirits; and our minds took a direction towards literature and science. The news was received about the middle of February. On the 17th of March,

the American Philosophical Society, which had been long slumbering, resolved "That a committee of their body should be added to those before existing; to be denominated 'The Committee of History, Moral Science, and General Literature.'" This name was adopted on the suggestion of Mr. Rawle, who immediately inscribed his name among the members of the new association.

The business of the committee, (as is usual in such cases,) was carried on by a few. The active members were Chief Justice Tilghman, (the chairman,) Dr. Wister, Mr. John Vaughan, Mr. Correa de Serra, Mr. Rawle, and myself, who was the corresponding secretary. Our meetings were frequent, and Mr. Rawle seldom failed to attend. His advice was followed in many instances. The report on the structure of Indian languages, which the committee presented to the society in 1819, when read at our small meeting, received from him several valuable corrections. He felt so interested in the subject, that he entered into a correspondence with me upon it, which the pressure of his professional business did not permit him to continue. He questioned the polysyllabic character ascribed by us to those languages, on the grounds that, as they are not written, it is impossible to know, whether what was called one long word, was not in fact, several words combined or joined together. His arguments were ingenious, and in some instances conclusive. Other questions were in this manner amicably discussed between us. I regret that this correspondence was not allowed to proceed farther.

In the year 1820, a society was formed among the judges and members of the bar, called "The Society for the promotion of Legal Knowledge, and Forensic Eloquence." The Law Academy, still existing, was instituted as a branch of it, and under its patronage. The president of this association was Chief Justice Tilghman; and Mr. Rawle

was the vice-president.* That society was incorporated in 1821; and after continuing two or three years, it fell through by an accident; the room in which the election of officers was to have been held, having been found locked, and no election having taken place. It was not revived, and the Law Academy has continued without it.

While that society remained in existence, Mr. Rawle was one of its most active officers. It gave an impulse to legal studies, and to the Law Academy, which has not ceased to operate. As one of the founders and patrons of the latter institution, Mr. Rawle always felt an interest in their pursuits; and as you have remarked, he favoured them in 1832, twelve years after their first establishment, with an interesting and instructive address. He was the friend of youth, and delighted in promoting the progress and advancement of the rising generation.

I have thus, my dear sir, related to you, all the circumstances of Mr. Rawle's life, within my present recollection, which have come under my personal observation, and which are not included in your Biographical notice. There may be other facts, which I might have mentioned, but which have escaped my memory. I regret that I have been obliged to speak of myself so frequently in this narrative; but you will easily perceive that I could not avoid it; and

* I hope it will not be thought amiss to subjoin here a list of the officers of that society, as first instituted. Those whose names are in Italics are deceased.

President—*William Tilghman.*

Vice-President—*William Rawle.*

Trustees: Charles Chauncey, Thomas Kittera, John M. Scott, *Bloomfield M'Ilvaine*, *John Keating*, *Jr.*

Secretary—John K. Kane.

Treasurer—Benjamin Tilghman.

Provost of the Law Academy—Peter S. Du Ponceau.

Vice-Provost—James Gibson.

See Hall's Journal of Jurisprudence, p. 222.

indeed, I feel no small degree of pride, in finding my name, on this occasion, necessarily connected with that of one whose friendship sheds lustre on all, who have had the good fortune to enjoy it.

I am, very sincerely,

Your friend and humble servant,

PETER S. DU PONCEAU.